

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES of AMERICA, :
: Plaintiff/Respondent, : **Criminal No.04:05CR40024**
: vs. :
: AMANDA WORTMAN, :
: Defendant/Petitioner. :
:

MEMORANDUM AND ORDER

Before the Court is the government's motion to revoke defendant Amanda Wortman's ("Wortman") bond pending appeal (Doc. 152). On December 14, 2006, the Court allowed Wortman to be released on bond pending the resolution of the appeal of her criminal case, finding that under the Bail Reform Act of 1984, 18 U.S.C. § 3143(b), she had shown (1) by clear and convincing evidence that she was not likely to flee or be dangerous if released, (2) that her appeal presented a substantial question of law or fact, and (3) that the appellate court was more likely than not going to reverse the conviction or order a new trial on all counts. *See United States v. Bilanzich*, 771 F.2d 292, 298 (7th Cir. 1985). Since then, on June 8, 2007, the Court of Appeals has upheld Wortman's conviction, although it has not yet issued its mandate.

The Court is no longer convinced of the third factor necessary for release under 18 U.S.C. § 3143(b)(1) – that the appellate court is more likely than not going to reverse the conviction or order a new trial on all counts. Indeed, the Court of Appeals has affirmed Wortman's conviction. Accordingly, Wortman's release on bond is no longer appropriate. The Court hereby **GRANTS** the government's motion (Doc. 152) and **ORDERS** Wortman to report

to the United States Marshal Service in Benton, Illinois, on or before June 18, 2007, at 1:30 p.m.
to be taken into custody and to resume serving her sentence.

IT IS SO ORDERED.
DATED: June 14, 2007

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE